

FILED
DISTRICT COURT OF GUAM

MAY 30 2006

MARY L.M. MORAN
CLERK OF COURT

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF GUAM

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JUSTIN KEITH GUERRERO and
RENEA DORLEEN CRUZ-TAITANO,

Defendants.

MAGISTRATE CASE NO. 05-00045

ORDER

On March 29, 2006, the Court granted the Defendants' motions to suppress all statements made by each of them and all articles seized from them, on the basis that law enforcement officials had no reasonable suspicion to detain the Defendants as they exited the elevators on the seventh floor of the Guam Reef Hotel. (Docket No. 47.) The Court also instructed the Government to advise the Court by April 6, 2006, whether it will continue to prosecute this case. (Id.)

On April 6, 2006, the parties stipulated to give the Government more time to decide whether it would proceed forward with trial. (Docket No. 52.) The Court thereafter gave the Government until April 20, 2006, to make said decision. (Docket No. 54.)

On April 20, 2006, the Government filed a Motion for Reconsideration. (Docket No. 57.) The Court denied the motion for reconsideration on May 24, 2006. (Docket No. 62.)

On May 25, 2006, the Government filed a motion to vacate the order to show cause

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1 hearing against Defendant Guerrero on the basis that said hearing was moot since “the available
2 evidence, witnesses, and investigative results will not be sufficient to proceed to trial.” (Docket
3 No. 65.)

4 To date, however, the Government has not filed a motion to dismiss this case nor has it
5 appealed this Court’s ruling. Accordingly, in order to safeguard the Defendants’ right to a
6 speedy trial, the Court hereby sets this matter for trial on June 13, 2006, at 9:30 a.m. The trial
7 date will automatically be vacated should the Government file a dismissal motion or a notice of
8 appeal.

9 SO ORDERED this 30th day of May 2006.

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12 JOAQUIN V.E. MANIBUSAN, JR.
13 United States Magistrate Judge
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